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<u>Name</u>

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To:

Sunil Singh, Examiner

703-872-9306

Re:

SWMCY-P01-103

USSN 10/660,915

Inventor: Kevin Damewood

From:

Wolfgang Stutius

Comments: Attached is a Response To Restriction Requirement.

PLEASE COMPLETE WHEN SUBMITTING TO FAX DEPARTMENT

Date: October 5, 2004

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Submitted By: Wolfgang Stutius

Phone: 617 951-7681

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Docket No.: SMCY-P01-103 (PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Kevin Damewood

Application No.: 10/660915

Art Unit: 3673

Filed: September 12, 2003

Examiner: S. Singh

For: SELF-CONTAINED ARTICULATED

MATTRESS

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

<u>REMARKS</u>

In response to the Office Action dated September 1, 2004 (Paper No. 20040830), requiring election of a single disclosed species, Applicant elects Species I drawn to Fig. 1B.

Claims 1-49 are pending in the application. Currently, claims 1-3, 5-17, 23, 24, and 27 are generic. Claims 1-3, 5-20, 23, 24, 27, 28-31 read on the elected Species I.

Application No.: 10/660915

Docket No.: SMCY-P01-103

We believe that we have appropriately provided for fees due in connection with this submission. However, if there are any other fees due in connection with the filing of this Response, please charge our Deposit Account No. 18-1945, under Order No. SMCY-P01-103 from which the undersigned is authorized to draw.

Dated: October 5, 2004

Respectfully submitted,

Wolfgang K. Sturius

Registration No.: 40,256 ROPES & GRAY LLP One International Place

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Attorneys/Agents For Applicant

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